

filed by the expiration of the comment period, this decision will take effect automatically and will be the final Board action.

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This decision will not significantly affect the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Global's above-described control of the indicated carriers and corporate restructuring are approved and authorized, subject to the timely filing of opposing comments.

2. If timely opposing comments are filed, the findings made in this decision will be deemed vacated.

3. This decision will be effective on November 1, 1999, unless timely opposing comments are filed.

4. A copy of this notice will be served on (1) the U.S. Department of Transportation, Office of Motor Carriers—HIA 30, 400 Virginia Avenue, S.W., Suite 600, Washington, DC 20024; (2) the U.S. Department of Transportation, Office of the General Counsel, 400 7th Street, S.W., Washington, DC 20590; and (3) the U.S. Department of Justice, Antitrust Division, 10th Street and Pennsylvania Avenue, N.W., Washington, DC 20530.

Decided: September 10, 1999.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams,

Secretary.

[FR Doc. 99-24177 Filed 9-15-99; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33799]

Riverport Railroad, L.L.C.—Lease and Operation Exemption—Jo-Davies/Carroll County Local Re-Development Authority

Riverport Railroad, L.L.C., a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from the Jo-Davies/Carroll County Local Re-Development Authority and operate approximately 50 miles of rail lines. The lines are located in the former Savanna Army Ammo Depot near Savanna, IL, adjacent to the main line of The Burlington Northern and Santa Fe Railway Company (BNSF), at BNSF

of opposition to the application on the basis of comments and the reply.

milepost 156.9, and consist of two former classification tracks, a loop track, and several stub tracks.

The transaction is scheduled to be consummated on or after September 10, 1999.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33799, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, Esq., Ball Janik LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

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Decided: September 9, 1999.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 99-24079 Filed 9-15-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33792]

Nobles Rock Railroad, Inc.—Modified Rail Certificate

On August 20, 1999, Nobles Rock Railroad, Inc. (NRR) filed a notice for a modified certificate of public convenience and necessity under 49 CFR 1150, Subpart C, *Modified Certificate of Public Convenience and Necessity*, to operate a rail line extending from milepost 378.5 west of Mitchell, SD, to milepost 517.5 at Murdo, SD, a total distance of approximately 139 miles.

The involved line represents a portion of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company's (Milwaukee Road) line between Mitchell and Rapid City, SD. The State of South Dakota acquired the line following an order of abandonment by the United States District Court for the Northern District of Illinois (Eastern Division) in *In the Matter of Chicago, Milwaukee, St. Paul and Pacific Railroad Company*, No. 77-B-8999, Order Nos. 342 (item R) and 342A

(paragraph 1) (dated June 9, 1980). The State, in turn, leased a segment (from Mitchell to Kadoka, SD) to the MRC Regional Railroad Authority (MRCA).¹ MRCA then subleased this segment to the Dakota Southern Railway Company (DSRC). DSRC has, subject to approval by the State and MRCA, agreed to sublease the west of Mitchell-Murdo segment to NRR.²

The line will connect at milepost 378.5 west of Mitchell with a line of railroad operated by DSRC. NRR will also interline with The Burlington Northern and Santa Fe Railway Company (BNSF) at Mitchell and will interchange traffic with DSRC at Titterton Siding, SD, and with BNSF at Mitchell.³ The sublease between NRR and DSRC does not include the line segments from Murdo to Kadoka or from west of Mitchell to Mitchell; these two segments will continue to be governed by the existing lease between DSRC and MRCA.

The rail segment qualifies for a modified certificate of public convenience and necessity. See *Common Carrier Status of States, State Agencies and Instrumentalities and Political Subdivisions*, Finance Docket No. 28990F (ICC served July 16, 1981).

NRR indicates that no subsidy is involved and that there are no preconditions for shippers to meet in order to receive rail service.

This notice will be served on the Association of American Railroads (Car Service Division) as agent for all railroads subscribing to the car-service and car-hire agreement: Association of American Railroads, 50 F Street, NW, Washington, DC 20001; and on the American Short Line and Regional Railroad Association: American Short Line and Regional Railroad Association, 1120 G Street, NW, Suite 520, Washington, DC 20005.

Decided: September 8, 1999.

¹ MRCA is a quasi-public entity entrusted by the State to oversee freight operations on the line.

² NRR was scheduled to commence operations over the line on August 23, 1999, or thereafter. An executed copy of the sublease agreement between NRR and DSRC was filed with the Board on September 8, 1999. The sublease agreement provides that NRR may operate over the line through July 31, 2000. The sublease also provides that NRR's operations will automatically be renewed for successive one-year terms commencing August 1, 2000, absent written notice of cancellation of the agreement by either NRR or DSRC.

³ To reach a connection with BNSF at Mitchell, NRR will obtain from DSRC the right to operate over an approximately 4.6-mile line from milepost 378.5 west of Mitchell, to milepost 373.9 at Mitchell, solely for the purposes of interchanging traffic and railroad equipment with BNSF.